

S/N 09/139,163

PATENT

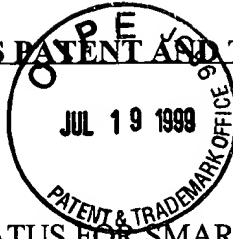
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David R. Tushie et al.

Serial No.: 09/139,163

Filed: August 24, 1998

Title: SYSTEM AND APPARATUS FOR SMART CARD PERSONALIZATION



Examiner: S. Baderman

Group Art Unit: 2785

Docket: 457.003US2

#9

AMENDMENT AND RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the first Office Action dated April 28, 1999, Applicant respectfully requests consideration of the following remarks in connection with the above-identified patent application.

REMARKS

Examiner Interview

Applicant thanks the Examiner for the courtesy of a telephonic interview on June 10, 1009, in which Applicant's counsel and the Examiner discussed the statutory double-patenting rejection of claims 33-37 over U.S. Patent number 5,889,941. The Examiner agreed that the statutory double-patenting rejection should be changed to a non-statutory double-patenting rejection because of the difference in scope of the pending claims and those of the issued patent. The Examiner stated that claims 33-37 would be allowable upon submission of a terminal disclaimer. A terminal disclaimer is submitted with this response.

CONCLUSION

If necessary for entry and consideration of this response, please charge any required fee to Deposit Account No. 19-0743.

Claims 25-32 having been allowed in the first Office Action, and agreement reached on the patentability of claims 33-37, Applicant requests a notice of allowance with regard to the pending claims 25-37.

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